

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

'ILIO'ULAOKALANI COALITION,) Civil No. 04-00502 DAE BMK  
a Hawai'i nonprofit )  
corporation; NA 'IMI PONO, )  
a Hawai'i unincorporated )  
association; and KIPUKA, a )  
Hawai'i unincorporated )  
association, )

Plaintiffs, )

vs. )

DONALD H. RUMSFELD, )  
Secretary of Defense; and )  
FRANCIS J. HARVEY, )  
Secretary of the United )  
States Department of the )  
Army, )

Defendants. )  
\_\_\_\_\_ )

DEPOSITION OF COLONEL STEFAN J. BANACH

Taken on behalf of the Plaintiffs, at the law  
offices of Earthjustice, 223 South King Street, Third  
Floor Conference Room, Honolulu, Hawai'i, commencing at  
9:09 a.m., on Thursday, December 7, 2006, pursuant to  
Notice.

BEFORE: CARI VALLO, CSR No. 252, RPR  
Notary Public, State of Hawai'i

PACIFIC REPORTING SERVICES UNLIMITED  
Topa Financial Center  
745 Fort Street, Suite 704  
Honolulu, Hawai'i 96813  
(808) 524-7778

Exhibit 4

1 training that is being proposed for Schofield East  
2 Range at this time?

3 A There will be squad maneuver training. Again,  
4 the squad will go, the platoon will go, and the company  
5 will go in their Strykers. We will maneuver in the  
6 areas that are go terrain.

7 We will conduct those activities that best  
8 prepare us for combat in Iraq and in full compliance  
9 with what it is that the Army tells us and the Garrison  
10 tells us where we can drive and where we can't go with  
11 our Strykers.

12 I don't intend to do anything ever, I never  
13 have in 23 and a half years, that does not comply with  
14 a regulation.

15 Q Would Mr. Borne have any involvement in  
16 determining the areas where your soldiers would be  
17 allowed to take Stryker vehicles off of the roads at  
18 East Range?

19 A He would, in his capacity -- he's an adviser to  
20 the Garrison commander. Garrison commander makes  
21 recommendations to the commanding general, 25th  
22 Division Commanding General U.S. Army Pacific.

23 Again, Mr. Borne's role is to do and to  
24 facilitate the staff recommendations and also to ensure  
25 that the recommendations that are forwarded for command

1 STATE OF HAWAI'I )  
2 CITY AND COUNTY OF HONOLULU ) SS.

3  
4 I, CARI VALLO, CSR No. 252, a Notary Public in  
and for the State of Hawai'i, do hereby certify:

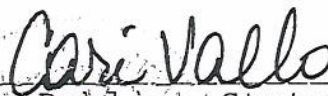
5  
6 That on Thursday, December 7, 2006, at 9:09  
a.m., appeared before me COLONEL STEFAN J. BANACH, the  
7 witness whose testimony is contained herein; that prior  
to being examined, the witness was duly sworn or  
8 affirmed; that the proceedings were taken in  
computerized machine shorthand by me and were  
thereafter reduced to print under my supervision; that  
9 the foregoing represents, to the best of my ability, a  
correct transcript of the proceedings had in the  
10 foregoing matter;

11 That, if applicable, the witness was notified  
through counsel, by mail, or by telephone to appear and  
12 sign; that if the transcript is not signed, either the  
reading and signing were waived by the witness and all  
13 parties or the witness has failed to appear and the  
original is therefore kept on file without signature  
14 pursuant to Court rules;

15  
16 That pursuant to HRCF 30(f)(1), the original  
will be forwarded to noticing counsel for retention,  
17 unless otherwise agreed to by all counsel.

18 I further certify that I am not counsel for any  
of the parties hereto nor in any way interested in the  
19 outcome of the cause named in the caption.

20  
21 Dated this 11th day of December, 2006, in  
Honolulu, Hawai'i.

22  
23   
24 Notary Public, State of Hawai'i  
My Commission expires: November 6, 2008  
25 CARI VALLO, CSR No. 252, RPR